

FEB 03 2010

MONTANA OFFICE



February 2, 2010

Roger Hoogerheide
U.S. Environmental Protection Agency
Region 8, Montana Office - Federal Building,
10 West 15th Street, Suite 3200
Helena, MT 59626

Lisa Dewitt
Department of Environmental Quality
Remediation Division, Federal Superfund Section
P.O. Box 200901
Helena, MT 59602-0901

Re: *Preliminary Subsurface Investigation Report for the Ortiz and Abel Properties in Somers, Montana*
AWC Project No. 350.09

Dear Roger and Lisa:

Pursuant to our recent discussions, find enclosed a copy of the Preliminary Subsurface Investigation Report for the Ortiz and Abel Properties in Somers, Montana. The laboratory results of the soil and groundwater samples collected during this investigation clearly show the contaminant plume associated with the CERCLA Lagoon has migrated beyond the BN Somers Tie Plant CERCLA boundary and onto the neighboring private properties.

It is my understanding that EPA is interested in further characterizing the nature and extent of the creosote contamination onto these adjacent properties. Please be advised that Mr. Ortiz and Mr. Abel are willing to authorize entry and testing provided that certain conditions are agreed upon which include:

1. As you are aware, these four properties are currently occupied. The installation and construction of monitoring wells will need to be located such that EPA is able to obtain the necessary data to complete your evaluation but yet minimize disruption to the occupants. Therefore, we will need to jointly participate in selecting drilling locations.
2. Representatives from Applied Water Consulting (AWC) are allowed to obtain splits of the soil and groundwater samples during borehole drilling and monitoring well sampling.
3. Representatives from AWC will be allowed future access of the monitoring wells on these private properties to independently collect groundwater samples.
4. It is the property owners' preference that EPA utilizes their own contractor to conduct this work.

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Based on our previous conversations, it is my understanding that your assessment work will not preclude the efforts of Mr. Ortiz and Mr. and Mrs. Abel to have their properties restored to pre-contaminant conditions.

If you have any questions regarding the content of this report or the site access conditions requested herein, please feel free to contact me at (406) 756-2550.

Sincerely,

Applied Water Consulting, LLC

A handwritten signature in blue ink that reads "Roger A. Noble". The signature is fluid and cursive, with the first name "Roger" and last name "Noble" clearly legible.

Roger A. Noble, P.G.
Sr. Hydrogeologist

Enclosures: (1)

c: Richard Ortiz w/ enclosure
Tom Abel w/ enclosure
Roger Sullivan w/ enclosure